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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/767,213	01/29/2004	Timothy J. Millet	112-0133US	2675
29855 7590 02/07/2008 WONG, CABELLO, LUTSCH, RUTHERFORD & BRUCCULERI, L.L.P. 20333 SH 249 SUITE 600 HOUSTON, TX 77070			EXAMINER WONG, BLANCHE	
			ART UNIT 2619	PAPER NUMBER
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary**

Application No.

10/767,213

Applicant(s)

MILLET ET AL.

Examiner

Blanche Wong

Art Unit

2619

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 29 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-63 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-63 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 January 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Drawings***

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the second transmitting port, a device logic that includes zoning data storage, a comparison circuit, an action circuit (claims 1,12,23,34,44,54) must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

### ***Claim Objections***

2. Claims 1,5,6 are objected to because of the following informalities:

With regard to claims 1 and 34, Examiner suggests replacing "the external data devices" in lines 2-3 with "the plurality of external data devices" in consistent with "a plurality of external data devices" in lines 1-2.

With regard to claims 1 and 34, Examiner suggests replacing "enforce the zones" in line 4 with "enforce the at least two zones" in consistent with "at least two zones" in line 2.

With regard to claims 1 and 34, Examiner suggests replacing "an external data packet processing device" in lines 8-9 with "one of the plurality of external data devices" in consistent with "a plurality of external data devices" in lines 1-2.

With regard to claims 5 and 6, and 37 and 38, Examiner suggests replacing "the external data devices" in line 1 with "the plurality of external data packet processing devices" in consistent with "a plurality of external data devices" in claim 1, lines 1-2.

With regard to claims 12 and 44, Examiner suggests replacing "the external data devices" in lines 2-3 with "the plurality of external data devices" in consistent with "a plurality of external data devices" in lines 1-2.

With regard to claims 12 and 44, Examiner suggests replacing "enforce the zones" in line 4 with "enforce the at least two zones" in consistent with "at least two zones" in line 2.

With regard to claims 12 and 44, Examiner suggests replacing "an external data packet processing device" in lines 13-14 with "one of the plurality of external data devices" in consistent with "a plurality of external data devices" in lines 1-2.

With regard to claims 16 and 17, Examiner suggests replacing "the external data devices" in line 1 with "the plurality of external data packet processing devices" in consistent with "a plurality of external data devices" in claim 12, lines 1-2.

With regard to claims 23 and 54, Examiner suggests replacing "said external data devices" in lines 7-8 with "said plurality of external data devices" in consistent with "a plurality of external data devices" in line 2.

With regard to claims 23 and 54, Examiner suggests replacing "enforce the zones" in line 9 with "enforce the at least two zones" in consistent with "at least two zones" in line 2.

With regard to claims 23 and 54, Examiner suggests replacing "an external data packet processing device" in lines 19-20 with "one of the plurality of external data devices" in consistent with "a plurality of external data devices" in lines 1-2.

With regard to claims 27 and 28, Examiner suggests replacing "the external data devices" in line 1 with "the plurality of external data packet processing devices" in consistent with "a plurality of external data devices" in claim 23, lines 1-2.

With regard to claims 23 and 54, Examiner suggests replacing "said external data devices" in lines 7-8 with "the plurality of external data devices" in consistent with "a plurality of external data devices" in line 2.

Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. **Claims 1-63** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

With regard to claims 1 and 34, it is unclear if there is any difference between "coupling to" in lines 6,7,8 and "connecting" in line 10 or "connected to" in lines 14 and 17.

With regard to claims 1 and 34, it is unclear whether "a received data packet" in line 15 is the same as one of the received data packets in "a receiving port ... receiving data packets" in line 6.

With regard to claims 1 and 34, it is unclear whether "a data packet" in line 20 and "the data packet" in line 21 is the same as "a received data packet" in line 15 and/or one of the received data packets in "a receiving port ... receiving data packets" in line 6.

With regard to claims 2 and 36, it is unclear whether "the data packet" in line 2 is the same as "a received data packet" in claim 1, line 15 and/or one of the received data packets in "a receiving port ... receiving data packets" in claim 1, line 6.

With regard to claims 2 and 36, it is unclear where the received data packet in line 2 is forwarded to, and whether it is being forwarded to said first transmitting port.

With regard to claims 2 and 36, it is unclear whether "said first transmitting port transmits the data packet" in lines 2-3 is the same as "a first transmitting port ... transmitting data packets" in claim 1, line 7, and whether it refers to when the received data packet is forwarded in line 2.

With regard to claims 3 and 37, it is unclear whether "the data packet" in line 2 is the same as "a received data packet" in claim 1, line 15 and/or one of the received data packets in "a receiving port ... receiving data packets" in claim 1, line 6.

With regard to claims 3 and 37, it is unclear whether "said first transmitting port does not transmit the data packet" in lines 2-3 refers to when the received data packet is discarded in line 2.

With regard to claims 11 and 43, it is unclear whether "the data packet" in line 3 is the same as "a received data packet" in claim 1, line 15 and/or one of the received data packets in "a receiving port ... receiving data packets" in claim 1, line 6.

With regard to claims 11 and 43, it is unclear where the received data packet is coming from in order "to provide the received data packet to said second transmitting port" in lines 2-3.

With regard to claims 12 and 44, it is unclear if there is any difference between "coupling to" in lines 10,11,12 and "connected to" in lines 7,8,19,22 or "connecting" in line 15.

With regard to claims 12 and 44, it is unclear whether "a received data packet" in line 20 is the same as one of the received data packets in "a receiving port ... receiving data packets" in line 10.

With regard to claims 12 and 44, it is unclear whether "a data packet" in line 25 and "the data packet" in line 26 is the same as "a received data packet" in line 20 and/or one of the received data packets in "a receiving port ... receiving data packets" in line 10.

With regard to claims 13 and 46, it is unclear whether "the data packet" in line 2 is the same as "a received data packet" in claim 12 or 44, line 20 and/or one of the received data packets in "a receiving port ... receiving data packets" in claim 12 or 44, line 10.

With regard to claims 13 and 46, it is unclear where the received data packet in line 2 is forwarded to, and whether it is being forwarded to said first transmitting port.

With regard to claims 13 and 46, it is unclear whether "said first transmitting port transmits the data packet" in lines 2-3 is the same as "a first transmitting port ... transmitting data packets" in claim 12 or 44, lines 11-12, and whether it refers to when the received data packet is forwarded in line 2.

With regard to claims 14 and 47, it is unclear whether "the data packet" in line 2 is the same as "a received data packet" in claim 12 or 44, line 20 and/or one of the received data packets in "a receiving port ... receiving data packets" in claim 12 or 44, line 10.

With regard to claims 14 and 47, it is unclear whether "said first transmitting port does not transmit the data packet" in lines 2-3 refers to when the received data packet is discarded in line 2.

With regard to claims 22 and 53, it is unclear whether "the data packet" in line 3 is the same as "a received data packet" in claim 12 or 44, line 20 and/or one of the received data packets in "a receiving port ... receiving data packets" in claim 12 or 44, line 10.

With regard to claims 22 and 53, it is unclear where the received data packet is coming from in order "to provide the received data packet to said second transmitting port" in lines 2-3.



With regard to claims 23 and 54, it is unclear if there is any difference between "coupling to" in lines 15,17,19 and "connected to" in lines 12,13,25,28 or "connecting" in line 21.

With regard to claims 23 and 54, it is unclear whether "a received data packet" in line 26 is the same as one of the received data packets in "a receiving port ... receiving data packets" in lines 15-16.

With regard to claims 23 and 54, it is unclear whether "a data packet" in line 31 and "the data packet" in line 32 is the same as "a received data packet" in line 26 and/or one of the received data packets in "a receiving port ... receiving data packets" in lines 15-16.

With regard to claims 24 and 56, it is unclear whether "the data packet" in line 2 is the same as "a received data packet" in claim 23 or 54, line 26 and/or one of the received data packets in "a receiving port ... receiving data packets" in claim 23 or 56, lines 15-16.

With regard to claims 24 and 56, it is unclear where the received data packet in line 2 is forwarded to, and whether it is being forwarded to said first transmitting port.

With regard to claims 24 and 56, it is unclear whether "said first transmitting port transmits the data packet" in lines 2-3 is the same as "a first transmitting port ... transmitting data packets" in claim 23 or 54, lines 17-18, and whether it refers to when the received data packet is forwarded in line 2.

With regard to claims 25 and 57, it is unclear whether "the data packet" in line 2 is the same as "a received data packet" in claim 23 or 54, line 26 and/or one of the

received data packets in "a receiving port ... receiving data packets" in claim 23 or 56, lines 15-16.

With regard to claims 25 and 57, it is unclear whether "said first transmitting port does not transmit the data packet" in lines 2-3 refers to when the received data packet is discarded in line 2.

With regard to claims 33 and 63, it is unclear whether "the data packet" in line 3 is the same as "a received data packet" in claim 23 or 54, line 26 and/or one of the received data packets in "a receiving port ... receiving data packets" in claim 23 or 56, lines 15-16.

With regard to claims 33 and 63, it is unclear where the received data packet is coming from in order "to provide the received data packet to said second transmitting port" in lines 2-3.

5. There is insufficient antecedent basis for this limitation in the claim.

Claims 1 and 34, lines 12-13, "the zone configuration of the fabric".

Claims 7-10 and 39-42, all in line 2, "the portion for at least one more of the source address".

Claims 12 and 44, lines 18, "the zone configuration of the fabric".

Claims 18-21 and 49-52, all in line 2, "the portion for at least one more of the source address".

Claims 23 and 54, lines 8-9, "external data devices in the same zone".

Claims 23 and 54, lines 24, "the zone configuration of the fabric".

Claims 29-32 and 59-62, all in lines 2-3, "the portion for at least one more of the source address".

***Allowable Subject Matter***

6. Claims 1,12,23,34,44,54 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

7. Claims 2-11,13-22,24-33,35-43,45-53,55-63 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

8. The following is a statement of reasons for the indication of allowable subject matter:

With regard to claims 1,12,23,34,44,54, the prior art of record fails to anticipate or make obvious a fibre channel device comprising all the limitations including "a receiving port ... a first transmitting port ... a second transmitting port coupled to one of the plurality of external data packet processing device; and device logic coupled to said receiving port and said first and second transmitting ports, wherein said device logic includes: zoning data storage ... a comparison circuit coupled to said zoning data storage ... and an action circuit coupled to said comparison circuit ..." and a fibre channel switch and fibre channel fibre encompassing such a fibre channel device.

See also related patents: U.S. Pat No. 7,151,778 ('778) and 7,167,472 ('472).

'778 discloses a fibre channel device without a receiving port, a first transmitting port, a

second transmitting port, and device logic. '472 discloses a fibre channel device without a receiving port, a second transmitting port.

Odenwald (U.S. Pat No. 6,988,149) discloses a loop/fabric system that comprises receiving and transmitting ports, device logic, data storage, and action circuit per se. However, Odenwald's an integrated target masking is not zoning.

Sakurai et al. (Pub No. 2001/0028652 A1) discloses ATM cell switching system that comprises of receiving and transmitting ports; device logic, data storage, and an action circuit per se. However, Sakurai does not teach a second transmitting port coupled to one of the plurality of external data packet processing devices, and a zoning data storage.

Huang (U.S. Pat No. 6,480,488) discloses a sorting and transmitting data packets method and apparatus. However, Huang does not teach a receiving port, a zoning data storage, and an action circuit.

Foster et al. (Pub No. 2002/0159468 A1) discloses a method and system for administrative ports in a routing device. However, it does not teach a second transmitting port coupled to one of the plurality of external data packet processing devices.

Hebb et al. (U.S. Pat No. 6,587,463) discloses packet classification engine but it is not a zoning data storage.

AIN et al. (Pub No. 2006/0072454 A1) discloses fibre channel address blocking but does not teach zoning.

Manning (Pub No. 2003/0056040 A1) discloses a two-step memory device command buffer apparatus and method, but unlike the zoning data storage as in claim 34 that includes first, second, third and fourth memory.

### **Conclusion**

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Blanche Wong whose telephone number is 571-272-3177. The examiner can normally be reached on Monday through Friday, 830am to 530pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edan Orgad can be reached on 571-272-7884. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

*bw*

BW  
January 31, 2007

EDAN . ORGAD  
SUPERVISORY PATENT EXAMINER

*Edan Orgad*